

REMARKS/ARGUMENTS

Claims 91-94, 97, and 100-113 are pending in this application. Claims 91, 103, and 110 have been amended, adding that the video gambling game is "user selected." Support for this amendment is found at page 8, lines 16-19 and lines 26-31. The Examiner's rejection is fully traversed below.

Claim Rejections under 35 U.S.C. § 103

Claims 91-94, 100, 103-108, and 110-111 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,254,483 to Acres ("Acres") in view of US Patent No. 6,048,269 to Burns et. al. ("Burns").

Applicant's electronic gaming unit as described by claims 91 and 103 is patentable over the combination of Acres and Burns at least because the Examiner has not made a legally sufficient showing that the combination of Acres and Burns would lead one of ordinary skill in the art to achieve the claimed invention

The present invention is directed to an electronic gaming unit with a time generator (page 5, lines 2-3). As discussed, for example, at page 1, lines 29-30, the time generator may produce a time signal and the video gambling game may adapt in response to the time signal. The video gambling game may adapt, for example, by adjusting the volume (page 17, lines 12-13), the brightness of the display (page 17, lines 16-17), the payout percentage (page 17, lines 23-24), the minimum bet for the gaming unit (page 18, lines 6-7), or the denomination for the gaming unit (page 18, lines 13-14).

The electronic gaming unit of the present invention allows a user to play many different video gambling games on the electronic gaming unit (Figure 3). As recited in claims 91 and 103, video poker, video slots, video blackjack, video keno, and video bingo may be played on the electronic gaming unit. Furthermore, as recited in claims 91 and 103, the gaming unit permits a user to select the video gambling game he or she wishes to play.

Applicant believes that the Examiner has not made a legally sufficient showing that the combination of the prior art references Acres and Burns would lead one of ordinary skill in the art to achieve the claimed invention.

In addition, Applicant's electronic gaming unit as described in claims 91 and 103 is patentable over the combination of Acres and Burns at least because any legally permissible combination fails to teach or suggest the minimum bet, the payoff percentage, the brightness of the display, and the theme of the video gambling game will change in response to a time signal, regardless of the video gambling game the user selects.

For at least the reasons given above, Applicant submits that claims 91 and 103 are patentable over the cited art. Withdrawal of the 35 U.S.C. § 103 rejection for claims 91 and 103 as well as for dependent claims 92-94, 100, 104-108, and 110-111 is respectfully requested.

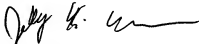
Claims 101, 102, 112, and 113 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,254,483 to Acres ("Acres") in view of US Patent No. 6,048,269 to Burns et. al. ("Burns") and in further view of US Patent No. 6,354,943 to Miura ("Miura"). Miura does not cure the deficiencies in the combination of Acres and Burns that are discussed above.

For at least the reason given above, Applicant submits that claims 101, 102, 112, and 113 are patentable over the cited art. Withdrawal of the 35 U.S.C. § 103 rejection for claims 101, 102, 112, and 113 is respectfully requested.

CONCLUSION

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the number set out below. If any further fees are due in connection with the filing of this amendment, the Commissioner is authorized to charge fees to Deposit Account No. 500388 (Order No. IGT1P492C1).

Respectfully submitted,
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